

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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m 98-41129

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

CECIL ANTHONY DORTCH,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas

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February 14, 2000

**ON PETITION FOR REHEARING**

(Opinion December 23, 1999, 5th Cir. 1999, 199 F.3d 193, 203)

Before GARWOOD, SMITH, and  
BENAVIDES, Circuit Judges.

PER CURIAM:

The petition for rehearing is DENIED. In response to the petition for rehearing, however, the court acknowledges that the evidence found at the residence is not necessarily to be excluded, given that there were independent sources of information that formed the basis of the search warrant for the house. Accordingly, the sentence indicating to the contrary is hereby deleted. *See United States v. Dortch*, 199 F.3d 193, 203 (5th Cir. 1999).

Judge Garwood dissents from denial of rehearing.